



PUBLIC NOTICE

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COMMISSION ANNOUNCES ENTITIES CERTIFIED TO PARTICIPATE IN THE NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM FOR 13 ADDITIONAL STATES AND TERRITORIES

CG Docket No. 10-210

By this Public Notice, the Consumer and Governmental Affairs Bureau (CGB) of the Federal Communications Commission (Commission) certifies the Helen Keller National Center for Deaf-Blind Youth and Adults (HKNC) as the entity to administer the National Deaf-Blind Equipment Distribution Program (NDBEDP) for the states of Florida, Hawaii, Iowa, and New York; and for American Samoa, Guam, and the Northern Mariana Islands. In addition, CGB certifies the Georgia Center of the Deaf and Hard of Hearing to administer the NDBEDP for Georgia, the Affiliated Blind of Louisiana Training Center to administer the NDBEDP for Louisiana, the Perkins School for the Blind to administer the NDBEDP for Montana, the New Jersey Commission for the Blind and Visually Impaired to administer the NDBEDP for New Jersey, the North Carolina Division of Services for the Deaf and the Hard of Hearing to administer the NDBEDP for North Carolina, and the Wisconsin Bureau of Aging and Disability Resources (BADR) to administer the NDBEDP for Wisconsin.¹ These certifications shall become effective July 1, 2017. On a rolling basis, CGB will release additional public notices announcing entities selected for certification under the permanent NDBEDP after reviewing applications and supplemental materials received for each state.

Background. Under the NDBEDP, also known as “iCanConnect,” the Commission may provide up to \$10 million annually from the Interstate Telecommunications Relay Service Fund (TRS Fund) to support local programs that distribute equipment to eligible low-income individuals who are deaf-blind, so that these individuals can access telecommunications service, Internet access service, and advanced communications services.² Since 2012, the Commission has operated the NDBEDP as a pilot program through the certification and oversight of 53 entities – one for each state, plus the District of Columbia, Puerto Rico, and the U.S. Virgin Islands.³ This pilot program will end on June 30, 2017,⁴ and the

¹ Although CGB previously identified the applicant for Wisconsin as the Wisconsin Department of Health Services, this applicant had requested that the FCC certify the BADR as the entity approved to operate and receive funding under the NDBEDP for Wisconsin. *See FCC Announces Applicants for Certification to Participate in the National Deaf-Blind Equipment Distribution Program*, CG Docket No. 10-210, Public Notice, DA 17-392 (CGB Apr. 25, 2017) (*Public Notice Announcing 2017 NDBEDP Certification Applicants*).

² Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA), Pub. L. No. 111-260, 124 Stat. 2751; Pub. L. 111-265, 124 Stat. 2795 (technical corrections to the CVAA). Section 105 of the CVAA adds section 719 to the Communications Act of 1934, as amended, and is codified at 47 U.S.C. § 620.

³ *See Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals*, Report and Order, 26 FCC Rcd 5640 (2011) (*NDBEDP Pilot*

(continued....)

NDBEDP will become a permanent program on July 1, 2017.⁵ In accordance with the *NDBEDP Permanent Program Order*, CGB must certify one entity for each state, the District of Columbia, Puerto Rico, American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands, as the sole entity for that jurisdiction to receive reimbursement for NDBEDP activities from the TRS Fund.⁶

On February 7, 2017, CGB announced that it would accept applications until April 7, 2017, from entities that were interested in receiving Commission certification to participate in the permanent NDBEDP.⁷ In that announcement, CGB identified the eight qualifications for certification that are required for the permanent NDBEDP.⁸ The first seven of these apply to all applicants and require the following: expertise in the field of deaf-blindness, the ability to communicate effectively with people who are deaf-blind, sufficient staffing and facilities, experience with equipment distribution, experience training consumers how to use the distributed equipment, familiarity with covered services, and administrative and financial management experience.⁹ The eighth qualification, which applies only to applicants that participated in the pilot program that are seeking renewal of their existing certifications, requires the ability to provide equipment and related services in compliance with the Commission's rules, as demonstrated by the applicant's past performance.¹⁰ In addition, applicants for certification must disclose actual or potential conflicts of interest.¹¹

CGB reviewed a single application for each of the 13 jurisdictions that are the subject of this public notice.¹² Nine of the 13 entities that submitted these applications are currently certified to serve their jurisdictions under the NDBEDP pilot program. HKNC, which has served multiple jurisdictions under the pilot program, applied for certification to administer the NDBEDP for three of the remaining four jurisdictions, American Samoa, Guam, and the Northern Mariana Islands, territories that were not served under the pilot program. The final jurisdiction, Wisconsin, had been served under the pilot program by the Wisconsin Public Service Commission (PSC). Although the Wisconsin PSC did not

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Program Order); *Commission Announces Launch of the National Deaf-Blind Equipment Distribution Program*, Public Notice, 27 FCC Rcd 7403 (CGB 2012); *see also* 47 CFR § 64.610(a)-(k).

⁴ *See Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals*, Order, 31 FCC Rcd 6149 (2016).

⁵ *See Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals*, Report and Order, 31 FCC Rcd 9178, 9199, para 51 (2016) (*NDBEDP Permanent Program Order*); *see also* 47 CFR §§ 64.6201-64.6219.

⁶ 47 CFR § 64.6207; *see also NDBEDP Permanent Program Order*, 31 FCC Rcd at 9184, para. 9. Collectively, the entities selected to participate in the NDBEDP are referred to herein as “certified programs” or “state programs.”

⁷ *FCC Announces 60-day Period to Apply for Certification to Participate in the National Deaf-Blind Equipment Distribution Program*, Public Notice, 32 FCC Rcd 1123 (2017) (*2017 NDBEDP Application Public Notice*).

⁸ *Id.*, 32 FCC Rcd at 1124-26.

⁹ 47 CFR § 64.6207(c)(1)-(7).

¹⁰ 47 CFR § 64.6207(c)(8).

¹¹ 47 CFR § 64.6207(d)(1); *see also NDBEDP Permanent Program Order*, 31 FCC Rcd at 9190, paras. 23-24.

¹² *See Public Notice Announcing 2017 NDBEDP Certification Applicants* at 2-4. Although CGB previously reported that it had received two applications each to administer the NDBEDP for Georgia and Montana, upon further review, CGB learned that one of the submissions for Georgia, from Tools for Life, had merely expressed interest in applying and did not submit an actual application for certification. In addition, one of the two Montana applicants, HKNC, subsequently withdrew its application by letter dated May 31, 2017.

apply for certification to continue under the permanent NDBEDP, it will continue to support the program in partnership with the BADR.¹³

Following its review of these applications, CGB is satisfied that each of the applicants for these 13 jurisdictions meets the criteria contained in the Commission's rules to receive certification under the permanent NDBEDP. For example, as evidenced in their applications, through the performance of their NDBEDP-related activities under the pilot program and other aspects of their enterprises that are independent of the NDBEDP, these entities have demonstrated extensive experience in providing accessible services in a manner that shows cultural awareness of the deaf-blind community and its communication needs; considerable expertise in the communications technology used by individuals who are deaf-blind; the administrative and financial management capability to manage state programs under the NDBEDP; sufficient staffing to manage these state programs; and a strong familiarity with the Commission's rules governing this program. Furthermore, as the NDBEDP certified programs for these jurisdictions, these entities will work in partnership with local agencies to meet the needs of the deaf-blind population throughout these jurisdictions. Accordingly, CGB certifies these entities to participate in the permanent NDBEDP, effective July 1, 2017, for a period of five years.¹⁴

As has been the case in the pilot program, each entity selected will have full responsibility for distributing equipment and providing related services, including outreach, assessments, installation, and training, in their state(s), either directly or through collaboration, partnership, or contract with other individuals or entities in-state or out-of-state, including other NDBEDP certified programs.¹⁵ All certified programs must further comply with all of the Commission's NDBEDP rules pertaining to their participation in this program, including requirements designed to ensure the continuation of NDBEDP operations in their jurisdictions if they relinquish or do not renew their certifications or otherwise exit the program.¹⁶

ACCESSIBLE FORMATS: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

FOR FURTHER INFORMATION, CONTACT: Jackie Ellington, Disability Rights Office, Consumer and Governmental Affairs Bureau, 202-418-1153, e-mail Jackie.Ellington@fcc.gov; or Rosaline Crawford, Disability Rights Office, Consumer and Governmental Affairs Bureau, 202-418-2075, e-mail Rosaline.Crawford@fcc.gov.

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¹³ Letter from Thomas J. Engels, Deputy Secretary, State of Wisconsin, Department of Health Services, Division of Public Health, to NDBEDP Administrator, Disability Rights Office, FCC (Apr. 7, 2017).

¹⁴ 47 CFR § 64.6207(e). A program may apply for renewal of its certification by filing a new application at least one year prior to the expiration of the certification period. *Id.*

¹⁵ 47 CFR § 64.6207.

¹⁶ 47 CFR §§ 64.6201-64.6219; *see also* *NDBEDP Permanent Program Order*, 31 FCC Rcd at 9197, paras. 44-45, 9278-87, Appendix D (setting out the NDBEDP permanent program rules).